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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/455,363	12/06/1999	KAZUAKI TSUCHIYA	ASA-838	5016

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EXAMINER

PYZOCHA, MICHAEL J

ART UNIT	PAPER NUMBER
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2137

DATE MAILED: 01/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/455,363

Applicant(s)

TSUCHIYA ET AL.

Examiner

Michael Pyzocha

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 26-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 26-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

Art Unit: 2137

DETAILED ACTION

1. Claims 26-31 are pending.
2. Amendment filed on 11/14/2005 with a request for continued examination has been received and considered.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 26-27 and 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dobbins et al (US 5485455) in view of Jain et al (US 6311218).

As per claims 26 and 29, Dobbins et al discloses a network relaying method for a communication network system in which a plurality of network devices are coupled via a communication path, each network device including a network relaying device which is coupled via a plurality of I/O ports to a corresponding plurality of terminals (see column 7 line 60 through column 8 line 21), the method comprising the steps of:

Art Unit: 2137

receiving a packet at a first I/O port from a source terminal coupled to the first I/O port, the packet including a header containing a packet transmission source address (see column 8 lines 30-34);

determining whether a combination of the first I/O port and the packet transmission source address coincides with a combination of an I/O port and a transmission source address that have been registered in advance with a correspondence there between (see column 8 lines 35-36);

when the determining step results in a determination that the combination of the first I/O port and the packet transmission source address coincides with a combination of an I/O port and transmission source address that have been registered in advance with a correspondence there between, transferring the packet received at the first I/O port via a second I/O port (see column 9 lines 38-46);

when the determining step results in a determination that the combination of the first I/O port and the packet transmission source address do not have a coincidence with a combination of an I/O port and transmission source address that have been registered in advance with a correspondence there between: limiting transfer of the received packet registering the first I/O port with a correspondence to the packet

Art Unit: 2137

transmission source; and transferring the packet received at the first I/O port via the second I/O port (see column 8 line 37 through column 9 line 37 and claim 4).

Dobbins et al fails to disclose transmitting a request for user authentication of a user to the source terminal; receiving user authentication information sent from the source terminal in response to the request for user authentication; executing user authentication of the user based on the user authentication information thus received and based on the packet transmission source address.

However, Jain et al teaches such authentication (see column 5 line 21 through column 6 line 15).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to Jain et al's authentication method in Dobbins et al's connection method.

Motivation to do so would have been to authenticate and unauthenticated port (see Jain et al column 5 lines 20-40).

As per claims 27 and 30, the modified Dobbins et al and Jain et al system discloses the authentication including a user name (see Jain et al column 5 lines 20-40), but fails to disclose a password. However Official Notice is take that at the time of the invention it would have been obvious to one of ordinary skill in the art to include a password for the

authentication in the modified system. Motivation to do so would have been to provide authorized access to the system.

5. Claims 28 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over the modified Dobbins et al and Jain et al system as applied to claims 26 and 29 above, and further in view of Townsend et al (US 5661719).

As per claims 28 and 31, the modified Dobbins et al and Jain et al system teaches the transmission source address includes a MAC address (see Dobbins et al column 9 lines 10-25).

The modified Dobbins et al and Jain et al system fails to teach the transmission source address also includes an IP address.

However, Townsend et al teaches a transmission source address includes an IP and MAC address (see column 3 lines 13-24).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to include both address in the modified Dobbins et al and Jain et al system.

Motivation to do so would have been to have both the physical and logical address of the source (see Townsend et al column 3 lines 13-24).

Art Unit: 2137

Response to Arguments

6. Applicant's arguments with respect to the above claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Khabardar et al (US 6049834) teaches including the MAC and IP addresses in the header.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Pyzocha whose telephone number is (571) 272-3875. The examiner can normally be reached on 7:00am - 4:30pm first Fridays of the bi-week off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2137

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MJP


EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER